

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

WNT, LLC, *et al.*,

Plaintiff,

v.

UNITED SUGAR PRODUCERS &
REFINERS COOPERATIVE, *et al.*,

Defendants.

Case No. 24-cv-00959 (JMB/ECW)

MORELOS BAKERY LLC,

Plaintiff,

v.

UNITED SUGAR PRODUCERS &
REFINERS COOPERATIVE, *et al.*,

Defendants.

Case No. 24-cv-00966 (JMB/ECW)

UP AT 4, INC.,

Plaintiff,

v.

ASR GROUP INTERNATIONAL, INC.,
et al.,

Defendants.

Case No. 24-cv-00970 (JMB/ECW)

QUARTERBACK CLUB, *et al.*,

Plaintiff,

v.

ASR GROUP INTERNATIONAL, INC.,
et al.,

Defendants.

Case No. 24-cv-01017 (JMB/ECW)

BW-SS, INC.,

Plaintiff,

v.

ASR GROUP INTERNATIONAL, INC.,
et al.,

Defendants.

Case No. 24-cv-01047 (JMB/ECW)

BOCA BOTANA'S INC.,

Plaintiff,

v.

UNITED SUGAR PRODUCERS &
REFINERS COOPERATIVE, *et al.*,

Defendants.

Case No. 24-cv-01106 (JMB/ECW)

KING KULLEN GROCERY CO., INC.,

Plaintiff,

v.

ASR GROUP INTERNATIONAL, INC.,
et al.,

Defendants.

Case No. 24-cv-01122 (JMB/ECW)

RALEIGH GOLDEN,

Plaintiff,

v.

UNITED SUGAR PRODUCERS &
REFINERS COOPERATIVE, *et al.*,

Defendants.

Case No. 24-cv-01129 (JMB/ECW)

PIALA LLC,

Plaintiff,

v.

UNITED SUGAR PRODUCERS &
REFINERS COOPERATIVE, *et al.*,

Defendants.

Case No. 24-cv-01232 (JMB/ECW)

THE UNION PUBLIC HOUSE, LLC,

Plaintiff,

v.

AMERICAN SUGAR REFINING, INC.,
et al.,

Defendants.

Case No. 24-cv-01292 (JMB/ECW)

WILSON COFFEE HOUSE, LLC,

Plaintiff,

v.

ASR GROUP INTERNATIONAL, INC.,
et al.,

Defendants.

Case No. 24-cv-01322 (JMB/ECW)

CORBOS DELI SOUTHSIDE, LLC, *et al.*,

Plaintiff,

v.

UNITED SUGAR PRODUCERS &
REFINERS COOPERATIVE, *et al.*,

Defendants.

Case No. 24-cv-01370 (JMB/ECW)

NORTHERN FROZEN FOODS, INC.,

Plaintiff,

v.

UNITED SUGAR PRODUCERS &
REFINERS COOPERATIVE, *et al.*,

Defendants.

Case No. 24-cv-01414 (JMB/ECW)

NINETEENSEVENTYNINE LLC, *et al.*,

Plaintiff,

v.

ASR GROUP INTERNATIONAL, INC.,
et al.,

Defendants.

Case No. 24-cv-01525 (JMB/ECW)

TRIPLE ELM COFFEE AND ICE
CREAM, LLC,

Plaintiff,

v.

UNITED SUGAR PRODUCERS &
REFINERS COOPERATIVE, *et al.*,

Defendants.

Case No. 24-cv-01536 (JMB/ECW)

MODERN PASTRY SHOP, INC.,

Plaintiff,

v.

UNITED SUGAR PRODUCERS &
REFINERS COOPERATIVE, *et al.*,

Defendants.

Case No. 24-cv-01537 (JMB/ECW)

COWBELL GRILL & TAP, LLC, *et al.*,

Plaintiff,

v.

UNITED SUGAR PRODUCERS &
REFINERS COOPERATIVE, *et al.*,

Defendants.

Case No. 24-cv-01539 (JMB/ECW)

PORTLAND HUNT-ALPINE CLUB,
LLC,

Plaintiff,

v.

ASR GROUP INTERNATIONAL, INC.,
et al.,

Defendants.

Case No. 24-cv-01560 (JMB/ECW)

WESTERN AXE LLC,

Plaintiff,

v.

ASR GROUP INTERNATIONAL, INC.,
et al.,

Defendants.

Case No. 24-cv-01653 (JMB/ECW)

NATILE INC, *et al.*,

Plaintiff,

v.

AMERICAN SUGAR REFINING, INC.,
et al.,

Defendants.

Case No. 24-cv-01654 (JMB/ECW)

MARY SALAZAR, *et al.*,

Plaintiff,

v.

UNITED SUGAR PRODUCERS &
REFINERS COOPERATIVE., *et al.*,

Defendants.

Case No. 24-cv-01847 (JMB/ECW)

PATTIBAKES LLC,

Plaintiff,

v.

AMERICAN SUGAR REFINING, INC.,
et al.,

Defendants.

Case No. 24-cv-01847 (JMB/ECW)

JENNIVÉE'S BAKERY, LLC,

Plaintiff,

v.

ASR GROUP INTERNATIONAL, INC.,
et al.,

Defendants.

Case No. 24-cv-01848 (JMB/ECW)

2nd PITT LLC,

Plaintiff,

v.

ASR GROUP INTERNATIONAL, INC.,
et al.,

Defendants.

Case No. 24-cv-01859 (JMB/ECW)

HU-YU, INC. d/b/a CITY WOK,

Plaintiff,

v.

ASR GROUP INTERNATIONAL, INC.,
et al.,

Defendants.

Case No. 24-cv-01903 (JMB/ECW)

JM HOSPITALITY GROUP, LLC,

Plaintiff,

v.

AMERICAN SUGAR REFINING, INC.,
et al.,

Defendants.

Case No. 24-cv-01907 (JMB/ECW)

KLUESSENDORF,

Plaintiff,

v.

UNITED SUGAR PRODUCERS &
REFINERS COOPERATIVE, *et al.*,

Defendants.

Case No. 24-cv-01913 (JMB/ECW)

KEDZIE BOULEVARD CAFÉ, INC.,

Plaintiff,

v.

ASR GROUP INTERNATIONAL, INC.,
et al.,

Defendants.

Case No. 24-cv-01949 (JMB/ECW)

**[PROPOSED] ORDER REGARDING CONSOLIDATION AND
COORDINATION OF ACTIONS**

Having considered the papers filed in support of Plaintiffs’ Motion for Consolidation and Coordination, the Court GRANTS the motion and hereby ORDERS as follows:

Relation and Consolidation of Direct Purchaser Plaintiff (“DPP”) Actions

1. There is one action pending in this District that was brought on behalf of direct purchasers of Granulated Sugar,¹ alleging an unlawful conspiracy related to the price of Granulated Sugar: *Northern Frozen Foods, Inc. v. United Sugar Producers & Refiners Cooperative, et al.*, Case No. 24-cv-01414 (D. Minn.) (the “Direct Purchaser Plaintiff Action” or “DPP Action”).

2. Pursuant to Federal Rule of Civil Procedure 42(a), any direct purchaser action(s) subsequently filed in this District that arise out of the same or similar operative

¹ “Granulated Sugar” is ordinary, white, table sugar made from cane sugar or beet sugar.

facts as the DPP Actions shall be related to and consolidated with the DPP Actions for all purposes, including pretrial proceedings, trial, and appeal.

3. Pursuant to Federal Rule of Civil Procedure 42(a), any direct purchaser action(s) subsequently transferred to this District that arise out of the same or similar operative facts as the DPP Action shall be related to and consolidated with the DPP Action for all pretrial proceedings.

4. Those actions shall then collectively be referred to as the “Direct Purchaser Plaintiff Actions” or “DPP Actions.”

Relation and Consolidation of Consumer Indirect Purchaser Plaintiff (“Consumer”) Actions

5. There are three actions pending in this District that were brought on behalf of consumers who indirectly purchased Granulated Sugar, alleging an unlawful conspiracy related to the price of Granulated Sugar: *Raleigh Golden v. United Sugar Producers & Refiners Cooperative, et al.*, Case No. 24-cv-01129 (D. Minn.); *Salazar v. United Sugar Producers & Refiners Cooperative, et al.*, Case No. 24-cv-01847 (D. Minn.); and *Kluessendorf v. United Sugar Producers & Refiners Cooperative, et al.*, Case No. 24-cv-01913 (JMB/ECW) (D. Minn.) (the “Consumer Actions”).

6. Pursuant to Federal Rule of Civil Procedure 42(a), any consumer action(s) subsequently filed in this District that arise out of the same or similar operative facts as the Consumer Actions shall be related to and consolidated with the Consumer Actions for all purposes, including pretrial proceedings, trial, and appeal.

7. Pursuant to Federal Rule of Civil Procedure 42(a), any consumer action(s) subsequently filed in or transferred to this District that arise out of the same or similar operative facts as the Consumer Actions shall be related to and consolidated with the Consumer Actions for all pretrial proceedings.

Relation and Consolidation of Commercial and Institutional Indirect Purchaser Plaintiff (“CIIPP”) Actions

8. There are twenty four actions pending in this District that were brought on behalf of entities that indirectly purchased Granulated Sugar for use in commercial and institutional food and beverage preparation and product manufacturing or production, alleging an unlawful conspiracy related to the price of Granulated Sugar:

- a. *WNT, LLC, et al. v. United Sugar Producers & Refiners Cooperative, et al.*, Case No. 24-cv-00959 (D. Minn.);
- b. *Morelos Bakery LLC v. United Sugar Producers & Refiners Cooperative, et al.*, Case No. 24-cv-00966 (D. Minn.);
- c. *Up at 4, Inc. v. ASR Group International, Inc., et al.*, Case No. 24-cv-00970 (D. Minn.);
- d. *Quarterback Club, et al. v. ASR Group International, Inc., et al.*, Case No. 24-cv-01017 (D. Minn.);
- e. *BW-SS, Inc. v. ASR Group International, Inc., et al.*, Case No. 24-cv-01047 (D. Minn.);
- f. *Boca Botana’s Inc. v. United Sugar Producers & Refiners Cooperative, et al.*, Case No. 24-cv-01106 (D. Minn.);
- g. *King Kullen Grocery Co., Inc. v. ASR Group International, Inc., et al.*, Case No. 24-cv-01122 (D. Minn.);
- h. *Piala LLC v. United Sugar Producers & Refiners Cooperative, et al.*, Case No. 24-cv-01232 (D. Minn.);

- i. *The Union Public House, LLC v. American Sugar Refining, Inc., et al.*, Case No. 24-cv-01292 (D. Minn.);
- j. *Wilson Coffee House, LLC v. ASR Group International, Inc., et al.*, Case No. 24-cv-01322 (D. Minn.);
- k. *Corbos Deli Southside, LLC, et al. v. United Sugar Producers & Refiners Cooperative, et al.*, Case No. 24-cv-01370 (D. Minn.);
- l. *Nineteenseventynine LLC, et al. v. ASR Group International, Inc., et al.*, Case No. 24-cv-01525 (D. Minn.);
- m. *Triple Elm Coffee and Ice Cream, LLC v. United Sugar Producers & Refiners Cooperative, et al.*, Case No. 24-cv-01536 (D. Minn.);
- n. *Modern Pastry Shop, Inc. v. United Sugar Producers & Refiners Cooperative, et al.*, Case No. 24-cv-01537 (D. Minn.);
- o. *Cowbell Grill & Tap, LLC, et al. v. United Sugar Producers & Refiners Cooperative, et al.*, Case No. 24-cv-01539 (D. Minn.);
- p. *Portland Hunt-Alpine Club, LLC v. ASR Group International, Inc.*, Case No. 24-cv-01560 (D. Minn.);
- q. *Western Axe LLC v. ASR Group International, Inc., et al.*, Case No. 24-cv-01653 (D. Minn.);
- r. *Natile Inc., et al. v. American Sugar Refining, Inc., et al.*, Case No. 24-cv-01654 (D. Minn.);
- s. *Pattibakes LLC v. American Sugar Refining, Inc., et al.*, Case No. 24-cv-01812 (D. Minn.);
- t. *Jennivee's Bakery, LLC v. ASR Group International, Inc., et al.*, Case No. 24-cv-01848 (D. Minn.);
- u. *2nd Pitt LLC v. ASR Group International, Inc., et al.*, Case No. 24-cv-01859 (D. Minn.);
- v. *Hu-Yu, Inc. d/b/a City Wok v. ASR Group International, Inc., et al.*, Case No. 24-cv-01903 (D. Minn.);

w. *JM Hospitality Group, LLC, v. American Sugar Refining, Inc., et al.*, Case No. 24-cv-01907 (D. Minn.); and

x. *Kedzie Boulevard Café, Inc. v. ASR Group International, Inc., et al.*, Case No. 24-cv-01949 (D. Minn.).

2. Pursuant to Federal Rule of Civil Procedure 42(a), all twenty four of those actions brought on behalf of commercial and institutional indirect purchasers of Granulated Sugar, and any commercial indirect purchaser action(s) subsequently filed in this District that arise out of the same or similar operative facts as the CIIPP Actions, shall be related to and consolidated for all purposes, including pretrial proceedings, trial, and appeal. Those actions shall collectively be referred to as the “Commercial and Institutional Indirect Purchaser Plaintiff Actions” or “CIIPP Actions.”

3. Pursuant to Federal Rule of Civil Procedure 42(a), any commercial indirect purchaser action(s) subsequently transferred to this District that arise out of the same or similar operative facts as the CIIPP Actions shall be related to and consolidated with the CIIPP Actions for all pretrial proceedings.

Notice of Related Actions

4. Defendants shall file a Notice of Related Case in the Master Docket (as defined in ¶ 6 below) whenever a new case that Defendants believe should be consolidated with any of the Actions referenced above is filed in this District, except when a case already has been related and assigned to the undersigned Judge. Any such case will automatically be related and consolidated with its respective DPP Action, Consumer Actions, or CIIPP Actions under the Master Docket (as defined in ¶ 6 below) within 10 calendar days

following the filing of the Notice of Related Case. If any party objects to such consolidation or otherwise wishes to seek alternative relief, they must do so before the expiration of that 10-day period.

Coordination of DPP, Consumer, and CIIPP Actions

5. Pursuant to Federal Rule of Civil Procedure 42(a), the DPP Actions, the Consumer Actions, and the CIIPP Actions are hereby related and coordinated in this Court as practicable for pre-trial purposes only. This Order does not constitute a determination that any of these three separate tracks should or would be consolidated for trial.

6. The files of all the consolidated and coordinated actions shall be maintained under the docket number assigned to the first-filed case, under Master File Case No. 24-cv-000959 (D. Minn.) (the “Master Docket”), and shall bear the following caption:

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

<i>In re Granulated Sugar Antitrust Litigation</i>	Case No. 24-cv-00959
This Document Relates To:	Hon. Jeffrey Bryan

7. When a pleading or other court filing is intended to apply to all actions, the words “All Actions” shall appear immediately after the words “This Document Relates To:” in the caption set out above. When a pleading or other court paper is intended to apply to one or some, but less than all, of such actions, the party filing the document shall indicate

the action(s) to which the document is intended to apply. The parties may indicate, for example, “All DPP Actions,” “All Consumer Actions,” or “all CIIPP Actions.”

8. The master docket entry will reflect the fact that any particular filing relates to one or more, but less than all, of the actions.

9. To assist with implementing the provisions above, the Clerk of Court is directed to:

- a. Change the title of Case No. 24-cv-000959 to *In re Granulated Sugar Antitrust Litigation*;
- b. Close the dockets for each consolidated and coordinated action (except for the *WNT* action, which shall be renamed, as noted above), and note on each docket that all papers shall be filed only in the Master Docket.

Counsel Appearances and Admissions

10. Any lawyer who has entered an appearance in any of the consolidated or coordinated actions need not enter an appearance in this action; a single admission in these proceedings is sufficient. Likewise, any lawyer who has been admitted *pro hac vice* in any of the consolidated or coordinated actions need not seek *pro hac vice* admission in this action; a single *pro hac vice* admission in these proceedings is sufficient. It is incumbent upon each lawyer to ensure that his or her appearance is listed in the relevant consolidated proceedings for ECF purposes.

Acceptance of Service

11. Upon entry of this Order, all Defendants will accept service of the Complaints in all the above-captioned Related Actions through their counsel via electronic mail.

Initial Case Schedule

12. If the JPML resolves the Motion to Transfer by transferring to this Court all related cases for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407 or by denying the Motion to Transfer, the Parties will meet and confer to agree on a schedule for filing consolidated and amended complaints, responsive pleadings, and other pretrial matters.

IT IS SO ORDERED.

Dated: _____, 2024

HONORABLE JEFFREY M. BRYAN
UNITED STATES DISTRICT JUDGE